

Docket Number	PH7112 DIV1
FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10	
EV305489147US Express Mail Label Number	April 8, 2004 Date of Deposit

**PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN THE APPLICATION OF: Wacker et al. **CASE NO.:** PH7112 DIV1

SERIAL NO.: 10/613,841 **GROUP ART UNIT:** 1621

FILED: July 3, 2003 **EXAMINER:** Kumar, S.

FOR: Benzylcycloalkyl Amines as Modulators of Chemokine Receptor Activity

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

A restriction requirement was sent out March 15, 2004. On April 1, 2004, during a telephone interview between Applicant's representative and Examiner Kumar, three more groups were added to the restriction. Confirmation of these groups by the Examiner is respectfully requested. The three additional groups are:


- XI. Claims 1-27 wherein A is a heterocycle, X is O, and G is a non-heterocyclic group.
- XII. Claims 1-27 wherein A is a heterocycle, X is S, and G is a non-heterocyclic group.
- XIII. Claims 1-27 wherein A is a heterocycle, X is N, and G is a non-heterocyclic group.

Applicant's hereby elect Group XI, Claims 1-27, wherein A is heterocycle, X is O and G is a non-heterocyclic group. In response to the requirement to elect a single disclosed species, Applicants elect Example 14, page 54 as the species election. However, Applicants understand this requirement for election of species is for initial examination purposes only, in accordance with MPEP §803.02, and not a requirement to restrict the scope of the generic and subgeneric claims of this application to such species. If the Office Action is a requirement to restrict the scope of the generic and subgeneric claims to the elected species, Applicants traverse this requirement. Such a requirement would be improper for the reasons stated in MPEP §803.02, first paragraph.

The application is now believed to be in condition for examination and notification thereof is respectfully requested.

Respectfully submitted,

Date: April 8, 2004



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